



Martin County

Administrative Center
2401 SE Monterey Road
Stuart, FL 34996

Meeting Minutes

Local Planning Agency

Niki Norton, Vice Chair, District 1, 11/2024
Thomas Campenni, District 2, 11/2026
Blake Capps, District 3, 11/2024
James Moir, District 4, 11/2026
Ransom Reed Hartman, Chair, District 5, 11/2024
Mark Sechrist, School Board Liaison, 12/2023

Thursday, November 16, 2023

7:00 PM

Commission Chambers

CALL TO ORDER

Mr. Hartman, Chair, called the meeting to order at 7:00 pm. A quorum was present.

ROLL CALL

Present: Niki Norton, Vice Chair
Thomas Campenni
Bob Thornton
Jim Moir
Ransom Reed Hartman, Chair
Mark Sechrist – School Board Liaison

Staff Present:

Deputy County AttorneyElysse Elder
Growth Management DirectorPaul Schilling
Comprehensive Planning Administrator.....Clyde Dulin
Principal Planner..... Samantha Lovelady
Agency Recorder..... Maria Harrison
Notary..... Kathleen Boden

MINU APPROVAL OF MINUTES

MINU-1 – October 19, 2023

The Board was asked to approve the minutes from October 19, 2023.

Agenda Item: 24-0343

MOTION: A Motion was made by Mr. Campenni to approve the minutes of the Local Planning Agency Meeting held on October 19, 2023. The Motion was seconded by Mr. Moir. The Motion carried 5-0.

QJP QUASI-JUDICIAL PROCEDURES

Quasi-Judicial procedures apply when a request involves the application of a policy to a specific application and site. It is a quasi-judicial decision. Quasi-Judicial proceedings must be conducted with more formality than a legislative proceeding. In Quasi-Judicial proceedings, parties are entitled – as a matter of due process to cross-examine witnesses, present evidence, demand that the witnesses testify under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record.

Agenda Item: 24-0344

STAFF: Ms. Elder reminded the Board of the procedures for Quasi-Judicial and Legislative Public Hearings. She also reminded the Board that we're not getting into the specifics of what's being proposed on a parcel in a Legislative Public Hearing.

All persons wishing to speak on a Quasi-Judicial agenda item(s) were sworn in.

NEW BUSINESS

NPH-1 – COMPREHENSIVE PLAN AMENDMENT 23-14 SOUTH FLORIDA GATEWAY FLUM PARCEL 2

This is a request for a small-scale amendment to the Future Land Use Map (FLUM) on a 32.26-acre parcel. The request proposes to change the future land use designation from Industrial to Agricultural (up to 1 unit per 20 acres). The parcel is located south of SW 96th Street and east of the Okeechobee Waterway and west of SW Kanner Highway.

Requested By: Morris A. Crady, Senior Partner, Lucido & Associates

Presented By: Samantha Lovelady, Principal Planner, Growth Management Department

Agenda Item: 24-0304

Staff: Ms. Lovelady gave the staff presentation.

LPA: Mr. Moir asked for insight regarding what future land use changes are we expecting in this area and asked about the property the County had wanted for a maintenance facility.

Staff: Ms. Lovelady identified several projects in the area and clarified that the property for the maintenance facility was not part of the subject parcel, that it would remain inside the freestanding urban services district, and there is still no access to the freestanding urban service district from 96th.

APPLICANT: Mr. Crady appeared on behalf of the Applicant. He submitted the proof of notice to surrounding property owners, which includes the December 5th County Commission Meeting, and gave a presentation. He clarified that there are separate applications because there are two separate owners.

LPA: Mr. Campenni moved approval of NPH-1, seconded by Ms. Norton. Mr. Moir stated that he is opposed to changing the urban service boundaries in order to allow sprawling urban development out in this area. Mr. Hartman called for a vote. The motion carried 4-1 with Mr. Moir opposing.

PUBLIC: The following people spoke regarding this item: None.

**NPH-2 – COMPREHENSIVE PLAN AMENDMENT 23-13, SOUTH FLORIDA
GATEWAY TEXT PARCEL 2**

This is a request for a site specific amendment to the text of Chapter 4, Future Land Use Element and Chapter 11, Potable Water Services Element/10 Year Water Supply Facilities Work Plan. The parcel is located south of SW 96th Street and east of the Okeechobee Waterway and west of SW Kanner Highway.

Requested By: Morris A. Crady, Senior Partner, Lucido & Associates

Presented By: Samantha Lovelady, Principal Planner, Growth Management Department

Agenda Item: 24-0302

STAFF: Ms. Lovelady gave the staff presentation.

LPA: Mr. Moir asked if the reason for doing this is in order to manage the boundaries of the freestanding urban services district and also to permit its ability to provide services beyond its boundary.

STAFF: Ms. Lovelady responded that, in this situation, the urban services would be in closer proximity to where they are going in right now. Mr. Dulin explained that the proposed land use change considered in the last public hearing reduced the size of the Industrial by 32 acres. What's being done in this proposed amendment is contracting the freestanding urban services district around those same boundaries, so the freestanding urban services district is being decreased by 32 acres, consistent with the last amendment that you considered. That's the purpose of each of those policy changes that Ms. Lovelady went through.

LPA: Mr. Moir stated that the language suggested is that the services that this freestanding urban service district is intended to serve are part of the proposals that we have already heard that are on the opposite side of this.

STAFF: Ms. Elder stated that the Rural Lifestyle text amendment that happened at the last meeting has nothing to do with this Ordinance. They are really just including Parcel 1 into the freestanding urban service district and they are taking out Parcel 2, that's all that language does from a legal perspective.

APPLICANT: Morris Crady presented on behalf of the Applicant and stated that the reason for the text amendment is to make the Agricultural land use consistent with the Comprehensive Plan.

PUBLIC: The following people spoke regarding this item: Geraldine Genco Dube

MOTION: Mr. Campenni moved approval of Staff's recommendation; seconded by Ms. Norton. The Motion carried 4-1 with Mr. Moir opposing.

**NPH-3 – COMPREHENSIVE PLAN AMENDMENT 23-13, SOUTH FLORIDA GATEWAY
REZONING (QUASI-JUDICIAL)**

This application is a request for a zoning district change from LI, Limited Industrial to AG-20A, General Agricultural on a 32.26-acre parcel. This request is made concurrent with a proposed Future Land Use Map amendment CPA 23-14, South Florida Gateway PUD Future Land Use Map (FLUM) Amendment. CPA 23-14 proposes to assign the Agricultural land use designation to the 32.26-acre parcel.

Requested By: Morris A. Crady, Senior Partner, Lucido & Associates

Presented By: Samantha Lovelady, Principal Planner, Growth Management Department

Agenda Item: 24-0306

***For the Record:**

LPA: Ex-parte communications disclosures: None. Intervenor present: None. All staff and individuals speaking on this matter were sworn in by the Notary Public.

STAFF: Ms. Lovelady gave the Staff presentation.

LPA: Mr. Moir and Mr. Campenni discussed this being a down-zoning to go from a Limited Industrial down to an Agricultural zoning. Mr. Campenni stated that, if the Applicant requests it, it can be done, but the County could not say they want to do it.

APPLICANT: Mr. Crady presented on behalf of the owner and he pointed out that they are down-zoning this 32.26 acres, so we can up-zone the adjoining piece which is also 32.26 acres. The notice for this zoning change were included in the documents provided to the County.

PUBLIC: The following people spoke regarding this item: Geraldine Genco Dube

MOTION: A Motion was made by Mr. Campenni to approve staff's recommendation of approval; seconded by Ms. Norton. The Motion carried 4-1, with Mr. Moir opposing.

**NPH-4 – COMPREHENSIVE PLAN AMENDMENT 22-12, SOUTH FLORIDA
GATEWAY FLUM PARCEL 1**

This is a request for a small-scale amendment to the Future Land Use Map (FLUM) on a 32.26-acre parcel. The request proposes to change the future land use designation from Agricultural (up to 1 unit per 20 acres) to Industrial. The parcel is located south of SW 96th Street and east of the Okeechobee Waterway and west of SW Kanner Highway.

Requested By: Morris A. Crady, Senior Partner, Lucido & Associates

Presented By: Samantha Lovelady, Principal Planner, Growth Management Department

Agenda Item: 24-0307

STAFF: Ms. Lovelady gave the Staff presentation.

APPLICANT: Mr. Crady presented on behalf of the owner and provided the proof of notice requirements for this application, which also includes for the text amendment. Mr. Crady stated that he wants to make it very clear that what we are doing here is based on good planning and use of existing utility services. We always had 250 acres of Industrial land use. This parcel is not part of the existing South Florida Gateway PUD. There is no access to this parcel and there are no utilities to this parcel. We want to access the existing road that has a signalized intersection at Kanner Highway, we want to utilize existing water and sewer lines to this corner of the site and move the Industrial allocation that has already been provided in the current Comprehensive Plan to a location closer to existing public facilities. Mr. Crady stated that absolutely no Industrial traffic is allowed on 96th Street and that they made that change years ago.

MOTION: A Motion was made by Mr. Campenni to approve staff's recommendation of approval; **SECONDED** by Ms. Norton. The Motion carried 4-1, with Mr. Moir opposing.

**NPH-5 – COMPREHENSIVE PLAN AMENDMENT 23-01, SOUTH FLORIDA
GATEWAY TEXT PARCEL 1**

This is a request for a site specific amendment to the text of Chapter 4, Future Land Use Element and Chapter 11, Potable Water Services Element/10 Year Water Facilities Supply Work Plan. The parcel is located south of SW 96th Street and east of the Okeechobee Waterway and west of SW Kanner Highway.

Requested By: Morris A. Crady, Senior Partner, Lucido & Associates

Presented By: Samantha Lovelady, Principal Planner, Growth Management Department

Agenda Item: 24-0305

STAFF: Ms. Lovelady gave the Staff presentation.

LPA: Mr. Moir asked if it's not true that we just shrunk the urban service district by 32 acres and we're now asking to increase that by 32 acres, so we are trying to expand the urban service district. He also asked if it was correct that we just took away Agricultural acreage and we're now adding Industrial acreage.

STAFF: Ms. Lovelady explained that we are relocating the Industrial piece, it is an even swap. Mr. Dulin explained that there is no net change.

APPLICANT: Mr. Crady appeared on behalf of the Applicant and stated they are in agreement with Staff's recommendation. This completes the land use swap. He apologized for it being complicated, but that they had wanted to make sure that everything was dotted and crossed. He confirmed that the notices were turned in with the previous item.

PUBLIC: The following people spoke regarding this item: None.

MOTION: Mr. Campenni moved to approve NPH-5, seconded by Ms. Norton. The motion carried 4-1, with Mr. Moir opposed.

**NPH-6 – COMPREHENSIVE PLAN AMENDMENT 22-06, CALUSA CREEK
RANCH TEXT**

Public hearing to consider a request to amend Chapter 4, Future Land Use Element, Policy 4.13A.18, Rural Lifestyle.

Requested By: Tyson Waters, Fox McClusky

Presented By: Daphne Schaub, Senior Planner, Growth Management Department

Agenda Item: 24-0191

STAFF: Mr. Dulin gave the Staff presentation on behalf of himself and Ms. Schaub. Mr. Dulin explained that one of the proposed revisions is requested by staff, after analysis of recent changes to state Statute requiring an advanced wastewater treatment system instead of septic systems in many situations in Martin County. If the Applicant opted not to take the sewer and wanted to do septic instead.

LPA: Mr. Hartman and Mr. Moir asked about residential multi-slip docking facilities.

STAFF: Mr. Dulin explained this is an Applicant-proposed change. They want to provide that as one of the recreational amenities. This language would simply permit a residential multi-slip docking facility. How those docks would be constructed would be a subject for the Army Corps of Engineers and for final site plan approval by Martin County.

APPLICANT: Mr. Waters appeared on behalf of the Applicant and states that they strongly support and agree with Staff's recommendation. A presentation was given after a brief history of the property and the Applicant.

LPA: Mr. Moir stated that cluster development is permitted on Agricultural lands already, so the minimum lot size is not 20 acres. The idea that we can redefine adjacent as being one mile or greater is crazy, how can we do that? Mr. Campenni stated that he does not see conservation land here at all, is there no need to have conservation land at all under this definition?

STAFF: Mr. Schilling explained that there are no provisions for PUD or clustering within the Ag Ranchette or Agricultural land uses. He also pointed out that 3,000 acres is approximately 5 square miles. The concept of providing for both uses, meaning water and sewer and/or water and a septic system, the idea that having a single comfort station on a golf course with a toilet and a sink would be allowed to have a septic system as opposed to running, potentially, miles within the project of water and sewer. Mr. Dulin provided clarification regarding when offsite conservation is a requirement of the Rural Lifestyle future land use designation and that, when required, offsite preservation must be established and protected under a conservation easement. It has to be bound under a perpetual easement so that the density is stripped off that offsite area. Onsite, all wetlands have to be protected, 25% of the native upland habitat has to be protected, those are standard Comprehensive Plan Amendments, and 70% open space is required.

LPA: Mr. Campenni would like to see a requirement that once it gets to so many toilets or fixtures, we must run the sewer system.

PUBLIC: The following people spoke regarding this item: Geraldine Genco Dube, Kerry Meier, Joe Flanagan, Carol Ann Leonard, Bob Ernst

APPLICANT: Mr. Waters offered clarification that this application does not extend the Urban Service District, does not increase density, and does not allow any uses that are not already allowed in Agriculture. What this application does is allow a property owner to be creative through a planned unit development that will be brought back before this Board, and try to minimize the impact on a very large tract of land.

MOTION: Mr. Campenni moved to approve NPH-6 with an additional condition that once the development gets to have 100 plumbing fixtures, it must tie in to the sewer system at their expense. Mr. Hartman passed the gavel to Ms. Norton and seconded the motion. Ms. Norton called the question. The motion passed 3-2, with Mr. Moir and Mr. Thornton opposing.

NPH-7 – COMPREHENSIVE PLAN AMENDMENT 23-12, THE RANCH PUD FLUM

Public hearing to consider a Future Land Use Map change from Agriculture (allowing a maximum of one unit per 20 acres) to Rural Lifestyle (allowing a maximum of one unit per 20 acres) on the ±3,902.64 acres located in central Martin County, south of the St. Lucie Canal, spanning both sides of SW Kanner Highway, south and west of the intersection with SW Bridge Road (“Subject Property”). The Subject Property is comprised of eight parcels.

Requested By: Tyson Waters, Fox McClusky Bush Robison, PLLC & Ken Tuma, Urban Design Studio

Presented By: Clyde Dulin, Growth Management Department

Agenda Item: 24-0192

STAFF: Mr. Dulin gave the Staff presentation.

APPLICANT: Mr. Waters appeared on behalf of the Applicant and agrees with Staff’s recommendation. The proof of notice was submitted.

PUBLIC: The following people spoke regarding this item: Bob Ernst, Adam Yingling, Kerry Meier, Carol Ann Leonard, Geraldine Genco Dube

STAFF: Mr. Schilling addressed an allegation of an impact on an unrelated project that had been mentioned. There was some re-grading that impacted an easement on the west side of a project. That is being addressed by the Applicant and is a private matter between the HOA and POA for that project as well as the adjacent lot owner. Also, we have an enforcement arm, so if there are site plan violations with respect to approved developments and developments underway, those are addressed accordingly and, in some cases, are brought to a Magistrate.

MOTION: Mr. Campenni moved NPH-7 for approval, seconded by Ms. Norton. The motion carries 3-2, with Mr. Moir and Mr. Thornton opposing.

COMMENTS:

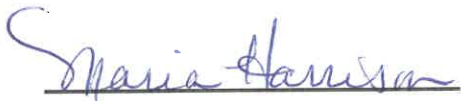
1. PUBLIC – None.
2. STAFF – Mr. Schilling brought up that importance that we have a quorum for upcoming meetings.
3. LPA – None

ADJOURN:

The Local Planning Agency meeting of November 16, 2023, adjourned at 9:35 pm.

Respectfully Submitted:

Approved by:



Maria Harrison, Martin County
Growth Management Department,
Agency Recorder

1/18/2024
Date Signed



~~Ransom Reed Hartman, Chairman~~

Niki Norton, Vice Chairman

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